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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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Statement of Commissioners Kevin J. Martin and Michael J. Copps on the Spectrum Policy Task Force's Public Notice On Spectrum Policies (Public Notice, ET Docket No. 02-135)

Spectrum management is one of the Commission's most important functions. It requires full Commission attention every step of the way. Instead, in this proceeding, a newly created task force is seeking comment on formulating policy on fundamental spectrum management issues without direct input or oversight by the Commission. Task forces can be a tremendous help to the Commission in meeting the many challenges we face, from spectrum management to media ownership to homeland security. But they must always be responsible to the full Commission as their work proceeds. These are critically important issues, and we believe they would be better addressed in a Notice of Inquiry issued by the Commission.

We also fear that without Commission input critical issues may be left out of consideration. For example, we are concerned and surprised that our obligation to use our rules to promote service to rural Americans is barely mentioned in the Public Notice. This responsibility is too important to be ignored. Additionally, we are concerned that, in drafting their report without Commission guidance, the staff may become wedded to certain views or frame the debate in a manner that is ultimately not consistent with the views of the majority of the Commission. Finally, we fear that the approach used here could ultimately lead to greater delay because it will necessarily require at least one additional round of notice and comment before the Commission itself even begins to engage in the issues.

Accordingly, we believe regulatory certainty and expeditious decision making would be better promoted – and critical Commission goals like serving rural America would have been better served – by having the Commission itself conduct this proceeding.

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